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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION

SMASH TECHNOLOGY, LLC, a Nevada
limited liability company; and MICHAEL
ALEXANDER, an individual;

Plaintiffs,

v.

SMASH SOLUTIONS, LLC, a Delaware
limited liability company; JERRY “J.J.”
ULRICH, an individual; SMASH
INNOVATIONS, LLC, a Wyoming limited
liability company, and FERACODE, LLC, a
Utah limited liability company;

Defendants.

**JOINDER IN DEFENDANTS AND
COUNTERCLAIM PLAINTIFFS’
RULE 26 EXPERT DESIGNATIONS**

Case No. 2:19-cv-00105-TC

Judge Tina Campbell

Feracode, LLC (“Feracode”), by and through counsel, hereby joins “Defendants and Counterclaim Plaintiffs’ DUCivR26-1(b)(1)(A)(i) Designations,” (“Designations”) which were filed as docket entry 99 by Smash Solutions, LLC, Smash Innovations, LLC, and Jerry J. Ulrich. Feracode hereby adopts Defendants’ “Designations” as though fully set forth herein.

Further, Feracode notes that the court has designated December 31, 2020 as the deadline for Defendants’ expert reports. Feracode has previously designated Derek Rasmussen as a retained

expert to provide his opinion regarding Plaintiffs' alleged damages (docket number 87). As a defense expert, Mr. Rasmussen was designated by Feracode to address damage calculations propounded by Plaintiffs' experts. However, Plaintiffs have never produced expert reports or damage calculations. As such, there are no damage calculations for Mr. Rasmussen to address.

Feracode cannot produce an expert report addressing Plaintiffs' damages because Plaintiffs have not produced any expert reports. Feracode reserves the right to produce an expert report from Mr. Rasmussen in the event that the Court allows Plaintiffs' to submit expert reports after the deadline has passed.

DATED this 31st day of December, 2020.

GOEBEL ANDERSON PC

/s/ Eric K. Jenkins

Heidi G. Goebel

Eric K. Jenkins

Attorneys for Defendant Feracode, LLC

CERTIFICATE OF SERVICE

I hereby certify that on December 31, 2020, the foregoing **JOINDER IN DEFENDANTS AND COUNTERCLAIM PLAINTIFFS' RULE 26 EXPERT DESIGNATIONS** was served on the following:

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/s/ Eric K. Jenkins